Case 1:03-md-01570-GBD-SN Document 653 Filed 02/07/05 Page 1 of 2

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January 31, 2005

VIA FEDERAL EXPRESS

The Honorable Richard C. Casey United States District Court for the District Of New York United States Courthouse 500 Pearl Street, Room 1950 New York, NY 10007-1312

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #:

In Re: Terrorist Attack on September 11, 2001, 03 MDL 1570 (RCC) Federal Insurance Company, et al. v. Al Qaida, et al., 03 CV 6978 (RCC)

Dear Judge Casey:

In accordance with the Court's January 24, 2005 Letter Order, I write to advise the Court that the Federal Insurance plaintiffs withdraw their opposition to the briefing schedule proposed in Al Rajhi Banking & Investment Corporation's December 30, 2004 Letter Motion. At the time the Federal Insurance plaintiffs filed their Opposition to that Motion, the Court had not yet rendered its decision on al Rajhi Bank's Motion to Dismiss the Burnett action. The Federal Insurance plaintiffs did not know when the Court would be able to issue a decision on that Motion, and were concerned that their action would fall needlessly far behind the <u>Burnett</u> case. In view of the issuance of the Court's January 18, 2005 Decision and Order, the briefing schedule proposed in Al Rajhi Bank's December 30, 2004 letter will not substantially delay progress in any of the actions. Accordingly, the Federal Insurance plaintiffs consent to that proposed briefing schedule.

Case 1:03-md-01570-GBD-SN Document 653 Filed 02/07/05 Page 2 of 2

The Honorable Richard C. Casey January 31, 2005 Page 2

The undersigned has spoken with counsel for Al Rajhi Bank, and confirmed the consent of the Federal Insurance plaintiffs to the briefing schedule outlined in al Rajhi Bank's December 30, 2004 Letter Motion.

Respectfully,

COZEN O'CONNOR

BY: SEAN P. CARTER

SPC/bdw

All Counsel of Record cc:

> ZEMO ENDORSED 2/7/05 Rached Compley